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**To:** Microsoft ATR  
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To whom it may concern,

I just wanted to voice my opinion on why the proposed settlement with Microsoft is a bad thing. My state unfortunately has already conceded (we are a Microsoft state here in Maryland) and signed off on the settlement. Believe it or not, students at the University of Maryland have to pay a fee each year for using Microsoft products ... whether they use them or not!! It's not a lot of money each year, but when you have 20,000 students, it really adds up.

Also:

Because the most successful competitors in recent years in product markets in which Microsoft holds a true or de facto monopoly (eg. personal computer operating systems, Internet browsers, and office productivity software) have arisen from the open source software community, I believe it is of extreme importance that any settlement protect and enhance this community's ability to produce products that provide end-users with viable choices.

In my reading of the proposed settlement, such protection is not provided. On the contrary, the settlement will serve to allow Microsoft to continue to hinder the open source software community's efforts.

The proposed settlement speaks of disclosure of APIs and licensing of intellectual property. I fear that any information disclosed by Microsoft will only be licensed to vendors or developers under conditions of a non-disclosure agreement, thus preventing the implementation of such protocols in an open source project or product.

This settlement, if implemented as proposed, will serve to entrench Microsoft's monopolies further, by allowing it to exclude the open source software community from any future technologies and APIs it develops. As this community is currently one of Microsoft's most serious competitors, it seems unbelievable that the proposed settlement will aid Microsoft in eliminating this 'threat' to their monopolies. It will give them gain a monopoly in the last place that they do not have one .. public education.

I hope that the decision is changed and that some thought is used to come up with a better solution!!

Frank Bergmeister

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